



PATENT APPLICATION

Docket No: 13447.3.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
	T. Wade Fallin et al.)
)
Serial No.:	10/631,141) Art Unit
) 3731
Filed:	July 31, 2003)
)
Confirmation No.:	2254)
)
For:	SUTURE ANCHOR)

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Arlington, Virginia 22313-1450, on the 3rd day of November 2003.

- Transmittal for Information Disclosure Statement (3 pages)
- Information Disclosure Statement (2 pages)
- Form PTO-1449 listing 42 references (4 pages)
- A copy of Form PTO-1449 and PTO-892 from parent application (5 pages)
- Postcard

Respectfully submitted,

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Registration No. 37,246

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ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

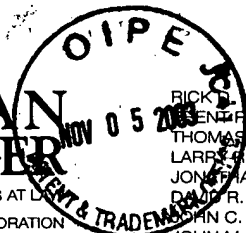
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PATENT APPLICATION

Docket No: 13447.3.1

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TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- ☐ Statement of relevance of selected cited references not in the English language which are not translated.
- ☐ Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- ☒ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- ☒ Form PTO-1449 listing 42 references submitted for consideration.
- ☐ A copy of each of the references listed on the Form PTO-1449.
- ☐ English translations of _____ () of the references listed on the Form PTO-1449 which are not in the English language.
- ☒ Copies of the following documents from the prosecution of a previous, related application:
 - ☒ Form PTO-1449; and
 - ☒ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ☒ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. ☐ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
 - ☐ Promptness Certification; or
 - ☐ Check No. _____ in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. ☐ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - ☐ Promptness Certificate;
 - ☐ Petition for Consideration; and

____ Check No. in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. ____ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

____ Petition to Withdraw from Issue; and

____ Check No. _____ in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

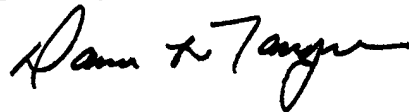
____ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

____ The submission fee set forth in 37 C.F.R. § 1.17(p).

____ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 3rd day of November 2003.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246

022913

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

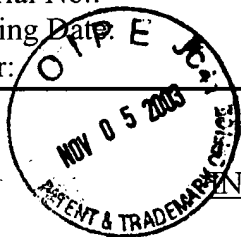
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Enclosures

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Applicant: T. Wade Fallin et al.
 Serial No.: 10/631,141
 Filing Date: July 31, 2003
 For: SUTURE ANCHOR

Confirmation No.: 2254
 Att'y Docket No.: 13447.3.1
 Group: 3731



INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
____ 1	3,716,058	02/13/1973	Tanner
____ 2	4,669,473	06/02/1987	Richards et al.
____ 3	4,741,330	05/03/1988	Hayhurst
____ 4	4,898,156	02/06/1990	Gatturna et al.
____ 5	4,899,743	02/13/1990	Nicholson et al.
____ 6	4,946,468	08/07/1990	Li
____ 7	5,002,550	03/26/1991	Li
____ 8	5,041,129	08/20/1991	Hayhurst et al.
____ 9	5,046,513	09/10/1991	Gatturna et al.
____ 10	5,192,303	03/09/1993	Gatturna et al.
____ 11	5,203,787	04/20/1993	Noblitt et al.
____ 12	5,207,679	05/04/1993	Li
____ 13	5,358,511	10/25/1994	Gatturna et al.
____ 14	5,403,348	04/04/1995	Bonutti
____ 15	5,464,425	11/07/1995	Skiba
____ 16	5,527,343	06/18/1996	Bonutti

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner Initial*	Document Number	Issue Date	Name
_____ 17	5,540,718	07/30/1996	Bartlett
_____ 18	5,549,630	08/27/1996	Bonutti
_____ 19	5,554,171	09/10/1996	Gatturna et al.
_____ 20	5,584,862	12/17/1996	Bonutti
_____ 21	5,626,612	05/06/1997	Bartlett
_____ 22	5,683,418	11/04/1997	Luscombe et al.
_____ 23	5,718,717	02/17/1998	Bonutti
_____ 24	5,733,306	03/31/1998	Bonutti
_____ 25	5,782,862	07/21/1998	Bonutti
_____ 26	5,782,863	07/21/1998	Bartlett
_____ 27	5,845,645	12/08/1998	Bonutti
_____ 28	5,871,503	02/16/1999	Bartlett
_____ 29	5,879,372	03/09/1999	Bartlett
_____ 30	5,885,294	03/1999	Pedlick et al.
_____ 31	5,897,574	04/27/1999	Bonutti
_____ 32	5,941,900	08/24/1999	Bonutti
_____ 33	5,948,002	09/07/1999	Bonutti
_____ 34	5,961,538	10/05/1999	Pedlick et al.
_____ 35	5,980,558	11/1999	Wiley

Examiner:

Date Considered:

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Applicant: T. Wade Fallin et al.

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Filing Date: July 31, 2003

Group: 3731

For: SUTURE ANCHOR

Examiner Initial*	Document Number	Issue Date	Name
____ 36	5,980,559	11/09/1999	Bonutti
____ 37	6,033,430	03/07/2000	Bonutti
____ 38	6,077,292	06/20/2000	Bonutti
____ 39	6,146,407	11/14/2000	Krebs
____ 40	6,146,408	11/14/2000	Bartlett
____ 41	6,165,203	12/26/2000	Krebs
____ 42	6,270,518	10/05/2001	Pedlick et al.

Foreign Patent Documents

Examiner Initial*	Document Number	Publication Date	Country or Patent Office	Translation
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Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial*

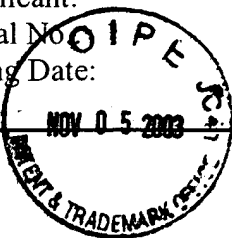
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References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

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Form PTO-1449

Applicant:

T. Wade Fallin et al.

Serial No.:

09/990,033

Filing Date:

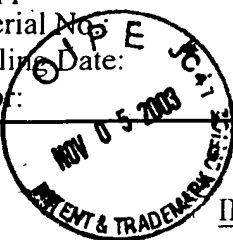
November 21, 2001

For:

SUTURE ANCHOR



Sheet 1 of 4
 Confirmation No.: 2766
 Att'y Docket No.: 13447.3
 Group: 3739



INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

Examiner Initial*	Document Number	Issue Date	Name
<u>GP</u> 1	3,716,058	02/13/1973	Tanner
<u>GP</u> 2	4,669,473	06/02/1987	Richards et al.
<u>GP</u> 3	4,741,330	05/03/1988	Hayhurst
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<u>GP</u> 16	5,527,343	06/18/1996	Bonutti

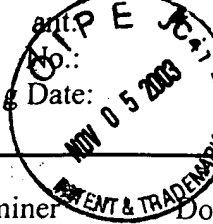
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Date Considered:

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FO-1449



T. Wade Fallin et al
09/990,033
November 21, 2001
SUTURE ANCHOR



Sheet 2 of 4
Confirmation No.: 2766
Att'y Docket No.: 13447.3
Group: 3739

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<u>GP</u> 34	5,980,559	11/09/1999	Bonutti
<u>GP</u> 35	6,033,430	03/07/2000	Bonutti

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Date:T. Wade Fallin et al.
09/990,033
November 21, 2001
SUTURE ANCHORSheet 3 of 4
Confirmation No.: 2766
Att'y Docket No.: 13447.3
Group: 3739

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<u>GP</u> 40	6,270,518	10/05/2001	Pedlick et al.

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Other Documents

(including author, title, pertinent pages, etc.)

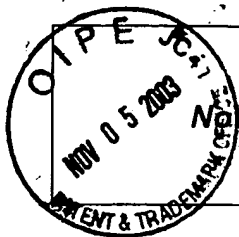
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Initial*

Examiner:

Date Considered:

1/30/03

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Notice of References Cited

Application/Control No.

09/990,033

Applicant(s)/Patent Under
Reexamination
FALLIN ET AL.

Examiner

Gwen Phanijphand

Art Unit

3731

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,980,558	11-1999	Wiley, Roy C.	606/232
	B	US-5,885,294	03-1999	Pedlick et al.	606/80
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.